



BOARD OF BARBERING AND COSMETOLOGY  
CALIFORNIA DEPARTMENT OF CONSUMER AFFAIRS  
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## MEETING OF THE LICENSING AND EXAMINATION COMMITTEE

**Board of Barbering and Cosmetology  
Courtyard by Marriott  
15433 Ventura Blvd  
Sherman Oaks, CA 91403**

**An additional meeting location was established at:  
Hale Kahakai  
2405 Kalanianaʻole Ave., PH Unit 11  
Hilo, Hawaii 96720**

### **MINUTES OF FEBRUARY 27, 2005**

#### **COMMITTEE MEMBERS PRESENT:**

*Dr. Della Condon, President  
Joseph Gonzalez, Vice President  
Richard Hedges  
Frank Lloyd*

#### **STAFF MEMBERS PRESENT:**

*Terresa A. Ciau, Executive Officer  
Albert Balingit, Staff Counsel  
Karen MacKenzie, Licensing Manager  
Kristy Underwood, Administrative Analyst  
Kelly Schmidt, Staff*

- **Agenda Item #1, CALL TO ORDER/ROLL CALL**

Dr. Condon called the meeting to order at 1:00 p.m. Pacific Standard Time. Members introduced themselves and briefly described their backgrounds. It was acknowledged that Mr. Hedges was teleconferencing from the Hilo, Hawaii location, so all motions to approve would be done by roll call.

- **Agenda Item #2, APPROVAL OF COMMITTEE MEETING MINUTES**

The draft meeting minutes of June 13, 2004 and November 14, 2004 needed to be approved. Mr. Hedges made a motion to approve both meeting minutes. All members approved the minutes by roll call.

- **Agenda Item #3, REPORT TO THE JOINT COMMITTEE ON BOARDS, COMMISSIONS, AND CONSUMER PROTECTION**

Dr. Condon indicated that these reports are part of the Board's Strategic Plan.

**A) Draft Report to the Legislature on Fingerprints**

Ms. Ciau referred to the November 2004 meeting where members recommended that the Board pursue the use of fingerprint cards. The Committee is being presented with the draft report to be approved and brought before the full Board for approval to submit to the Legislature.

Dr. Condon then opened the subject to the Committee members for discussion.

Mr. Hedges expressed he is in favor and believes it will streamline the process and cut costs. Mr. Gonzalez agreed. Mr. Lloyd feels the use of fingerprint cards is long overdue. Dr. Condon indicated that there seem to be a consensus among the Committee members and opened the subject for comments from the public.

Mr. Tyler had concerns about which convictions would deny someone licensure.

Dr. Condon indicated that is something that staff will be working on.

A motion was made to bring the report to the full Board for approval. The motion was approved by roll call and all Committee members were in favor.

#### **B) Draft Report to the Legislature on Aggregate Scoring**

Dr. Condon indicated there had been a task force regarding the issue of aggregate scoring and referred to Ms. Ciau for additional information.

Ms. Ciau stated the Board created a task force in December 2003 to look at this issue. The Board subsequently approved draft regulations, which have been filed, that would allow up to five points from the practical portion of the examination to carry over to the written portion.

Dr. Condon opened the subject for public comment.

Mr. Tyler stated he was part of the task force and used the barbering exam as an example that aggregate scoring has not proven to be more harmful to consumers.

A motion was made to bring the report to the full Board for approval. The motion was approved by roll call and all Committee members were in favor.

#### **C) Draft Report to the Legislature on Same-Day Licensing Costs/Benefits**

Dr. Condon commented that same-day licensing is being practiced already. She had one comment on the report that, as it is written, the report seems to indicate that same-day licensing is costing the Board more. She asked for clarification from Ms. Ciau.

Ms. Ciau indicated that the expenditures mentioned in the report were overall costs and not meant to give the impression that the expenses were due to same-day licensing. She stated the language should be changed, so that impression is not made.

Mr. Hedges made a motion to approve the report with the change to the language. The motion was approved by roll call and all Committee members were in favor.

#### **D) Progress Update on Apprenticeship Program**

Dr. Condon thanked the working group members who volunteered to assist the Board with the review of this program.

Ms. Ciau indicated that the working group would like to recommend that they take comments and then meet one more time, so that comments can be incorporated into their final recommendation.

Mr. Gonzalez expressed concern about the trainer to apprentice ratio recommendation. He feels it does not provide enough supervision of the apprentice. There are many occasions that a salon and an apprentice are written up due to lack of supervision over the apprentice.

Mr. Lloyd commented that a one to one ratio is more than he has seen in any type of apprentice program.

Mr. Tyler indicated that a two to four ratio is considered normal.

Dr. Condon commented that one of the issues mentioned regarding the extension of the apprenticeship license is a problem. If the apprentice applies once they have completed 75% of the training then there should be adequate time to schedule their examination. She understands that it is important to continue working while waiting for the examination.

Mr. Lloyd agreed that the continuity of employment is very important.

Mr. Hedges stated he has some experience with the apprenticeship program. He is concerned about the recommendations regarding multiple locations and the ratios. There needs to be someone in charge of the apprentice for signing off on them and checking their work.

Dr. Condon suggested that ratios be discussed at the next working group meeting.

#### **E) Progress Update on Extern Program**

Dr. Condon briefly described the extern program as a way students could work in a salon, unpaid, to gain experience. The informational report provided by staff gave recommendations for the Committee to consider.

Ms. Ciau indicated that Board staff thought it might be best to form a working group to discuss the extern program. The report to the legislature needs to be completed by September 1, 2005.

A motion was made to accept alternative #2, which asks the Committee to select one or two members to independently review the program and work with schools to develop a plan and recommendation for review by the full Board.

Dr. Condon recommended that she and Mr. Lloyd participate in the working group. She then opened the subject for public comment.

Mr. Tyler reflected that when the program originally came about that he thought it would be a great program. It would assist the students in their career placement and build a bridge between schools and salons. He offered his assistance for the working group.

Mr. Irving believes that externship is valuable. It helps schools and businesses come together and it also assists with improving the employment rate.

Ms. Ada feels this will give a higher level of job placement. Students get excited about getting the experience. She also volunteered her assistance for the working group.

Mr. Gonzalez was concerned to find that only 40 or 50 students currently use the program.

Ms. Bruders also offered to participate with the working group in order to represent a smaller private school.

**F) Progress Update on 1600-Hour Curriculum and National Exam Timeline**

Ms. Ciau indicated that the Office of Examination Resources (OER) will have the report on the National Exam by May 2005. However, OER cannot start on the 1600-hour curriculum review until July 2005. They estimate it will take an additional four to six months to complete the project. Ms. Ciau pointed out that this would extend past the September 1, 2005 report to the Joint Legislative Sunset Review Committee due date.

Dr. Condon suggested that OER prepare a letter to the legislature to explain the delay. The Board is ready to move forward on the report and could go ahead with the Board's portion of the report.

Mr. Balingit advised that the statute states in Business and Professions Code Section 7303.2 that the Board work in conjunction with the OER and the intent appears to be that the Board would work with OER together on the report.

Dr. Condon feels the Board should move forward on this issue and cannot wait until July 2005 to start working on this issue. She opened the subject for comments from the public.

Ms. Bruders stated OER started rewriting the written exam over one year ago and is still not done. She feels the Board should be able to go forward and complete their portion.

Mr. Hedges made a motion for the Board to move forward on this issue and send a letter to OER informing them of this. At the same time he suggested a letter be sent to the Joint Legislative Review Committee asking if they will accept the Board's report without OER. The Committee voted on the motion by roll call. Mr. Hedges, Dr. Condon, and Mr. Gonzalez were in favor. Mr. Lloyd was not in favor of the motion.

- **Agenda Item #4, PROPOSED REGULATIONS**

**A) Apprentice Pre-application Draft Language Pursuant to AB 2743**

The members expressed that they are in favor of the draft language. The subject was opened for public comment.

Mr. Tyler asked that program sponsors be notified once the language has been adopted.

A motion to approve the draft language to go forth to the full Board was made. All Committee members voted in favor by roll call.

- **Agenda Item #5, PROPOSED LANGUAGE FOR INSTRUCTOR QUALIFICATIONS**

Dr. Condon recommended that the Board propose language that is the same as the current language and that those who have obtained a certification from the Bureau of Private Post-Secondary and Vocational Education have 2 years to qualify for the instructor license. There was discussion among the members and a compromise was made that would allow those having the certification 3 years to qualify for the instructor license.

The issue of school pass/fail rates was also discussed and should be considered. Mr. Gonzalez suggested the Board work with the Bureau of Private Postsecondary and Vocational Education.

The subject was opened for public comment.

Mr. Carter noted that the apprentice program replaced the prior Junior Operator license. He mentioned that the apprentice program is deteriorating. He went on to mention that the entire problem of the pass/fail rates may not be necessarily the ineffectiveness of instructors. He pointed out that the examination itself may be too tough.

Ms. Bruders expressed her concerns about the possible inaccuracy of the pass/fail rates.

Mr. Tyler stated that instructors who wish to strive to be the best tend to take additional classes on their own. He also commented that there is a difference between school culture and the salon culture and that salons are where licensees obtain their experience.

Dr. Condon asked that Board staff to draft a proposal to include the prior language and to include grandfathering issues. There was a consensus among the members.

- **Agenda Item #6, APPROVAL OF VALIDATION REPORT OF THE COSMETOLOGY OCCUPATIONAL ANALYSIS**

Dr. Condon explained that the report included questionnaires that were distributed to cosmetologists and included their responses and a statistic analysis. In reviewing some of the information contained in the report, the manicuring weight of 24% was questioned.

The subject was opened for public comment.

Mr. Tyler requested the report be placed on the Board's website.

Ms. Bruders stated that the written exam is what is really needed.

Mr. Carter commented that cosmetologists need to know the basics whether they are using the services in their current job or not.

Mr. Gonzalez made a motion to approve the Validation Report, however, he also requested that an explanation of why the manicuring weight would be 24% be provided to the members. The motion to approve to bring to the full Board was voted in favor by all Committee members present by roll call.

- **Agenda Item #7, STATUS OF THE PROPOSAL TO SEEK A NEW COMPUTER BASED TESTING VENDOR**

Ms. Ciau indicated that Ms. Pederson attended a meeting and received a timeline from the department. They will need to work on a final statement of work.

- **Agenda Item # 8, STATUS OF OBTAINING APPROVED TEXTBOOKS AND LIST OF TEXTBOOKS PENDING APPROVAL**

Dr. Condon thanked staff for getting books out.

Ms. Bruce from Milady stated they are available to work with the Board.

Mr. Gonzalez asked if Milady could provide a copy of their instructor book for the Board members.

- **Agenda Item #9, STATUS ON THE EVALUATION OF PERFORMANCE MEASURES**

Ms. Ciau reported that the ATS and CAS computer systems the Board uses has not been used efficiently. There needs to be a clean up of these systems. Currently, data is being collected on a weekly basis.

Mr. Hedges questioned how much staff time it would take to clean up the systems. Ms. Ciau indicated it would require staff to run several reports and manually go through, so it would be somewhat time consuming. She anticipated that after the reports are completed in September that staff may be able to start working on this project.

- **Agenda Item #10, STATUS ON PERSONNEL ASSESSMENT AND NEEDS**

Ms. Ciau reported that staff has completed duty statements and probation reports are being done for new employees.

- **Agenda Item #11, PUBLIC COMMENTS**

Ms. Bruders asked about the examining of students from Japan. Dr. Condon explained that there was recently a new legal opinion that indicates the Board cannot exam students who do not have a valid social security number.

Mr. Tyler had four areas of concern: 1) There is a need for a hairstyling license, 2) There is a need for licensure for supervised shampoo assistants, 3) The issue of independent contractors and booth renters having their own license and leasing a space from business owners should be addressed and 4) Out of country applicants do not receive a social security number until they are here and sometimes wait one year for examination.

- **Agenda Item #12, AGENDA ITEMS FOR NEXT MEETING**

The following items were identified: staff to develop teacher qualification language, report back on the 24% manicuring weight from the validation report, progress report on the 1600-hour

cosmetology curriculum, report of the apprenticeship working group, progress report on the extern program, and update on the computer based testing vendors.

- **Agenda Item #13, ADJOURNMENT**

The meeting was adjourned at approximately 3:45 p.m.